

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

VINCENT EDWARD HARRIS,

Plaintiff

VS.

WARDEN ROSE WILLIAMS,

Defendant

NO. 5: 07-CV-91 (CAR)

PROCEEDINGS UNDER 42 U.S.C. §1983
BEFORE THE U. S. MAGISTRATE JUDGE

ORDER

Upon consideration of plaintiff's **REQUEST TO ENTER DEFAULT** (Tab #10) because of the alleged failure of the above-named defendant to timely file responsive pleadings, the court finds no basis therefor. Defendant has timely filed a **MOTION TO DISMISS** (Tab #8) within the time permitted by law. *See* Rule 4 of the Federal Rules of Civil Procedure.¹ Accordingly, plaintiff's motion is **DENIED**.

SO ORDERED, this 6th day of JUNE, 2007.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr." in a cursive script.

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE

¹ Rule 4 of the **Federal Rules of Civil Procedure** was amended effective December 1, 1993 to substantially increase the time permitted for responding to a complaint. If a defendant properly files a **WAIVER OF SERVICE** with the court, he is not required to file an answer or other responsive pleading until 60 days after the date on which the request for waiver of service was sent to him. **See Rule 4(d)(3).**